

Notice of Allowability

Application No.

09/522,600

Examiner

April L Baugh

Applicant(s)

TOYODA, KIYOSHI

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1,27-31,33-37,39 and 40.
3. ☒ The drawings filed on 10 March 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1, 27-31, 33-37, 39, and 40 are allowed. Claims 2-26, 32, and 38 are cancelled.

2. The following is an examiner's statement of reasons for allowance:

In interpreting the claims, in light of the specification and the applicant's arguments, the Examiner finds the claimed invention to be patentably distinct from the prior art of record. Toyoda et al. (US Pat. No. 5,812,278), Idehara (US Pat No. 6,438,605), and Reed et al. (US Pat No. 6,061,739) teach the invention substantially as claimed. Toyoda/Idehara/Reed teach an image communicating method between a transmitting side and a receiving side wherein on receiving destination information, it judges whether the destination is an email address or IP address. When the destination information is an email addresses the data is transferred via a mail server. When the destination information is an IP address the data is transferred via the network. A processor (RARP server) obtains the IP address of the receiving side using the system provided MAC address.

However, the prior art of record fails to teach or suggest individually or in combination the transmitter including a detector that detects whether or not an @ mark is added to the input destination wherein the transmitter transmits image data directly or indirectly based upon this determination, and if the @ mark is not detected the searcher searches memory (that stores a table including a fixed address (MAC address) of the receiver in association with a destination mail address) for the fixed address corresponding to the destination mail address inputted.

The invention as claimed teaches, among other method steps, the transmitter determines whether the detector detects an @ mark within the destination mail address and bases the transmission route to be utilized on this determination, and if the @ mark is not detected the searcher searches a table in memory for the MAC address (to provide to the processor to obtain the IP address) that corresponds with the inputted destination mail address (where the MAC address is stored in association with the destination mail address). However, the prior art teaches the system is provided upfront with either the email address or the IP address to judge which transmission route will be utilized wherein the IP address can be pre-provided or obtained from a processor (RARP server) using a MAC address. In the prior art there is no use of a detector that parses a destination mail address in search of an @ mark exclusively. Nor does the prior art teach a destination mail address used to search for and retrieve a MAC address from memory, where the MAC address is stored in association with the destination mail address.

The Examiner finds the applicant's arguments in the interview summary dated June 28, 2004 (paper no. 20040628), lines 2-3, on page 11, lines 1-4, page 12, lines 6-11 and page 12, line 16 through page 13, line 15 of the amendment filed August 10, 2004 (paper no. 20040810), and on page 13, line 17 through page 14, line 8 and page 16, line 27 through page 18, line 13 of the specification to be persuasive. The applicant argued in substance that the prior art of record does not teach detecting an @ mark exclusively within an inputted destination mail address to determine the transmission route and if not detected using the destination mail address to retrieve the MAC address (used to obtain the IP address through a processor) that is stored in a table in association with the destination mail address-distinguished from examining the destination

Art Unit: 2141

address as a whole to determine the transmission route where either an email address or IP address is inputted.

Dependent claims 28-31, 33, 35, 37, and 40 are allowed because of the combination of other limitations and the limitations listed above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L Baugh whose telephone number is 703-305-5317. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/522,600

Page 5

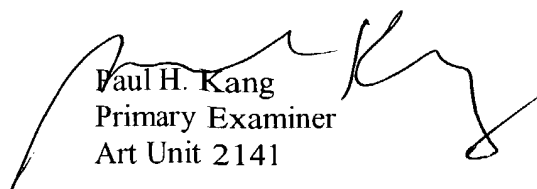
Art Unit: 2141

April L Baugh

Examiner

Art Unit 2141

ALB


Paul H. Kang
Primary Examiner
Art Unit 2141